IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

RP.No. 1053 of 2007()

AGAINST THE JUDGEMENT/ORDER IN TPC.190/2007 Dated 12/09/2007
OP 696/07 of Family Court, Thrissur.

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REVIEW PETITIONER/RESPONDENT/Petitioner

RAJEEV.P, S/O LATE ARAVINDAKSHA MENON,
PALLICHADATH HOUSE, KANJIRATHODU LANE,
IRINJALAKUDA POST, THRISSUR DISTRICT-21.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENT: PETITIONER/Respondent

SREELATHA C.V., D/O C.V.THIRUMULPAD,
SANTHIPUSHPAM, KANNATHU TEMPLE ROAD,
VAVARAMBALAM, POTHENCODE POST,
THIRUVANANTHAPURAM-84.

BY Adv. Sri. Anil K. K.Narendran

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.Krishnan, J.

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R.P.No.1053 of 2007

in

Tr.P(C).No.190 of 2007

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Dated this the 31ST day of October, 2007.

ORDER

This review petition is filed on the ground that facts had not been properly placed before court. It is submitted that the divorce petition filed by the wife pending before the Family Court, Thiruvananthapuram has not been pressed and it is dismissed and the suit for return of money or ornaments is pending as O.P. No.1248 of 2006. Meanwhile the husband has filed a divorce application before the Family Court, Thrissur which is numbered as O.P. No.696 of 2007.

2. By virtue of an earlier order both cases, viz., O.P.Nos.1248 of 2006 and 1249 of 2006 were transferred to the Family Court, Thiruvananthapuram. In the said order the basic inconvenience faced by the mother and the ailing child was taken into consideration by the Court and transfer was effected. It was

on the very same ground coupled with the factum of another divorce petition pending, I ordered transfer of O.P.No.696 of 2007 to the Family Court, Thiruvananthapuram.

3. It is true that the divorce petition filed by the wife was not pending at the time of this application but the fact remains ailment of the child and inconvenience of wife still subsists. Learned counsel for the review petitioner submits that some preference may be given for trial of the case. I permit him to file appropriate application before the Family Court for consideration of the same. I also make it clear that the Family Court, Thiruvananthapuram shall not insist for the personal appearance of the husband on each and every occasion and it can also grant him exemption on occasion where there is genuine ground for the same.

Review Petition is disposed of accordingly.

M.N.Krishnan,
Judge.

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